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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Working Group on Contemporary
Forms of Slavery
Twenty-fourth session
23 June - 2 July 1999
Items 5 and 6 of the provisional agenda

REVIEW OF DEVELOPMENTS IN THE FIELD OF CONTEMPORARY FORMS OF SLAVERY AND MEASURES TO PREVENT AND REPRESS ALL CONTEMPORARY FORMS OF SLAVERY, INCLUDING THE STRUGGLE AGAINST CORRUPTION AS A PROMOTING FACTOR OF CONTEMPORARY FORMS OF SLAVERY

OTHER FORMS OF EXPLOITATION

Report of the Secretary-General

GE.99-13600 (E)

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Introduction

1. In its resolution 1998/19, the Sub-Commission requested the Secretary-General to seek the views and suggestions of Member States and of intergovernmental and non-governmental organizations on proposals for future action of the Working Group.

2. The Secretary-General has received information relating to various sub-items of items 5 and 6 of the provisional agenda. A summary of the substantive replies is provided in the present document, which is submitted in response to the request of the Sub-Commission.

I. INFORMATION RECEIVED FROM GOVERNMENTS

Brunei Darussalam

[Original: English]
[12 October 1998]

1. Section 369 of the Penal Code (Cap 22) of Brunei Darussalam provides that whoever imports, exports, removes, buys, sells or disposes of any person as a slave or accepts or receives or detains any person as a slave shall be punished with imprisonment which may extend to seven years and fined, as this is regarded as a serious offence in Brunei Darussalam.

2. Section 372 of the Penal Code provides that whoever sells, lets to hire or otherwise disposes of any person under the age of 18 years with intent that such person shall at any age be employed or used for the purpose of prostitution or illicit intercourse with any person or for any unlawful and immoral purpose shall be punished with imprisonment which may extend to 10 years and fined. The Penal Code also makes unlawful compulsory labour an offence.

3. The Unlawful Carnal Knowledge Act (Cap 29) and the Women and Girls Protection Act (Cap 120) also makes provision for offences involving the use of women and girls for the purpose of prostitution.

Croatia

[Original: English]
[14 April 1999]

1. Since 1990 no criminal act has been recorded in Croatia comparable to the contemporary forms of slavery as described in the resolution of the Sub-Commission and related to the exploitation of domestic and migrant workers, slavery and child labour, sexual exploitation of children and the exploitation of the prostitution of others, and the illegal activities of some religious and other sects. The reason for the absence of such acts, we believe, is, first, the absence of social groups living under the conditions of extreme poverty that result in utter disrespect for human life, and, second, that such behaviour is extraneous to the social, traditional and moral values prevailing among our people.

2. The Ministry of the Interior is continuously taking measures designed to prevent such acts, especially those suggesting organized crime or those that may be linked to contemporary forms of slavery.

3. From 1990 onwards, i.e. since Croatia's independence, some positive tendencies in terms of a reduced rate of juvenile crime have been recorded, including increased efficiency of the police in detecting acts harmful to children and underage persons, their physical and mental integrity and health, normal sexual development, education and harmonious development of their personality. The Juvenile Courts Act emphasizes the need to engage experts specialized in juvenile crime prevention and custody of underage delinquents. Criminal officers are required to show interest in matters such as education and the needs of the young.

4. Family violence, probably the worst threat to children, is manifested in physical, mental and sexual abuse of children, as well as neglect, which breeds various forms of behavioural disorder to the point of delinquency, alcohol and drug addiction. Timely prevention, detection and reporting of the criminal acts of family violence can avert such destructive effects on the overall development of the young.

5. The new 1998 Penal Code contains a number of provisions which are intended to protect children, underage persons and women from any possible contemporary forms of slavery and which conform with relevant international standards. Thus the Penal Code, inter alia, defines the following criminal acts:

Enslavement and transport of slaves (art. 175);

International prostitution (art. 178);

Procurement (art. 195);

Exploitation of children or underage persons for pornography (art. 196);

Introducing children to pornography (art. 197).

6. Article 22 of the Constitution of the Republic of Croatia prescribes: "Human freedom and personality shall be inviolable. No one shall be deprived of freedom except as specified by law and decided by a court". This incrimination as a delict sui generis is contained in chapter XIII of the Penal Code (Crimes against the values protected under international law), article 175, entitled "Enslaving and transport of slaves", stipulating that anyone who, in contravention of international law, imposes slavery or a slavery-like relationship on a person or keeps him/her in such relationship, buys, sells or hands him/her over to another person or mediates in the purchase, sale or handover of such a person, or who makes another person sell his/her freedom or the freedom of his/her dependent, shall be punished by imprisonment for one to 10 years, and anyone who, in contravention of international law, buys, sells or hands over to another person, or mediates in the purchase, sale or handover of a child or underage person for the purpose of adoption, organ transplantation, child labour or for other illegal purposes shall be punished by imprisonment for at least five years. Furthermore,

anyone who, in contravention of international law, transports the persons on whom slavery or a slavery-like relationship is imposed shall be punished by imprisonment for six months to five years.

7. As for child labour, according to current Croatian legislation underage persons cannot be employed before they reach a legally fixed age, nor can they be forced to perform any work which may be detrimental to their health or morality, nor can such work be permitted. The Labour Act prescribes special requirements to be met in employing underage persons to the effect that a person younger than 15 years can be employed only in exceptional cases, subject to approval by a labour inspector, such as paid participation in film productions, art, theatre and other shows and performances and in ways, to a degree and in the types of engagement which will not endanger his/her health, morality, education or development.

8. According to the Penal Code a child is a person younger than 14 years and an underage person is one who has not reached the age of 18, which complies with article 1 of the Convention on the Rights of the Child. Consequently, criminal acts have been defined whereby, inter alia, children are protected from sale, prostitution and child pornography and the girls and women from trade for the purpose of sexual exploitation.

9. Article 178 (International prostitution) of the Penal Code stipulates that anyone who lures, entices or encourages a person to gainfully render sexual services in a State other than the one of which such person is resident or a national, shall be punished by imprisonment from three months to three years; anyone who by force or threat of force, or by deceit, coerces or induces a person to go to a State of which such person is not resident or a national, to gainfully render sexual services, shall be punished by imprisonment from six months to five years. If the above-mentioned offences have been committed against a child or minor, the perpetrator shall be punished by prison from one to 10 years. It is irrelevant for establishing if the offence was committed whether the person lured, enticed or encouraged, coerced or deceitfully induced to prostitution had already engaged in prostitution or not.

10. In the Republic of Croatia, a person who engages in prostitution is not guilty of a crime but of an offence pursuant to article 12 of the 1990 Law on Offences against Public Order and Peace. The legislator provides that for such offence a person may be fined or imprisoned for up to 30 days. Pursuant to article 34 of the same law, such offender shall be sent for mandatory medical treatment for venereal diseases or AIDS, and article 36 of the same law provides for a protective measure of removal of such person from the territory of the municipality in which the offence was committed for a period of 30 days to six months.

11. However, article 195 (Procuring) of the Penal Code provides that anyone who gainfully arranges or enables others to render sexual services shall be fined or imprisoned for up to one year; and anyone who by force or threat of force, or by deceit, gainfully coerces or induces a person to render sexual services, shall be fined or imprisoned for up to three years. If such offence was committed against a minor, the perpetrator shall be punished by prison

from one to eight years. It is irrelevant for establishing if the offence was committed whether the person procured had already engaged in prostitution or not.

12. In regard to the crime mentioned in article 196 (Exploiting children or minors for pornography), it is stipulated that anyone who takes pictures of a child or minor for the purpose of making photographs, audio and video tapes or other pornographic items, or for sale or distribution or presentation of such material, or who induces a child to participate in a pornographic performance, shall be punished by imprisonment from one to five years, and such items and material shall be seized.

13. Introducing children to pornography is criminalized pursuant to article 197 of the Criminal Code (Introducing children to pornography) which stipulates that anyone who sells, gives, shows, publicly displays or in any other way, makes available to a child, texts, pictures, audio and video tapes or other pornographic items, or shows a pornographic performance to a child, shall be fined or imprisoned for up to one year, and such items and material shall be seized.

Contemporary forms of slavery
(1998 data)

Type of offence	Number of offences	Number of victims		Number of perpetrators
		Underage	Of age	
Art. 175 - Enslavement and transport of slaves	2	-	2	3
Art. 178 - International prostitution	4	-	5	5
Art. 195 - Procuring	18	2	24	16
Art. 196 - Exploiting children or underage persons for pornography	1	2	-	2
Art. 197 - Introducing children to pornography	9	16	-	9
Total	34	20	31	35

14. As part of internationally organized procurement for prostitution some Croation citizens, assisted by foreigners, bring foreign female nationals to Croatia to engage in prostitution. Last year four cases of international prostitution (art. 178) were recorded in Croatia. All of them involved Ukrainian citizens allured by promises of a good job in catering or similar services. On their arrival in Croatia they were forced to engage in prostitution. Eighteen cases of procurement (art. 195) were also recorded

last year. The perpetrators were Croatian citizens who allured poorer Croatian females of age. The perpetrators usually arrange the venue and time of providing paid sexual services.

15. So far there has been no indication of a correlation between juvenile delinquency and organized crime, nor have there been reported cases of underage persons involved in organized crime. Not a single case of commercial sexual abuse of children or minors has been recorded, nor a case of sexual tourism involving children or minors.

16. In the course of 1998 nine criminal acts of introducing children to pornography were recorded, involving 16 children. In most cases the perpetrator knows the victim, and the criminal acts include indecent exposure, gross indecency in front of a child or minor, or other acts against sexual freedom and sexual morality.

17. During their courses at the Police Academy police officers are taught to take a stand against any discrimination or intolerance, thereby being guided and stimulated to develop a civilized and humane relationship with citizens. A course entitled "Police ethics", as well as other courses in their curriculum seek to promote and safeguard the dignity of each person, irrespective of any heredity or acquired traits.

18. Pursuant to the provisions of the Convention on the Rights of the Child and other relevant United Nations and European Community instruments and based on the determined orientation of our society to provide full legal protection of children and effectively prevent juvenile delinquency in order to safeguard the welfare of our youth, the Ministry of the Interior has introduced changes to the police work in this field, such as the establishment and organization of a special task force for juvenile delinquency and legal protection of children and youth. Furthermore, under the Juvenile Courts Act specialized public attorneys and judges for minors handle court cases involving children or minors as victims.

19. The Republic of Croatia is also a signatory to 12 international conventions relating to the prevention of terrorism, illicit trafficking in narcotics and organized crime, thus providing a basis for the regulation and cooperation of the signatory States in the field of prevention of violent crimes against the life, health, freedom and dignity of persons and crimes against property, traffic in persons, procurement, illegal migration and illegal residence. The implementation of these conventions and intensive international police cooperation will enable contemporary forms of slavery to be combated effectively.

20. Since 1992 the Republic of Croatia has been a member of the International Criminal Police Organization (Interpol) through which the bulk of international police cooperation with foreign criminal police offices is conducted.

Germany

[Original: English]
[28 January 1999]

The competent German authorities have no knowledge of any single case of trade of organs and tissues of children and adults for commercial purposes in Germany. Trade of organs and tissues for commercial purposes is prohibited by law in Germany.

Guatemala

[Original: Spanish]
[2-15 February 1999]

1. The following hospital medical centres which carry out organ transplant operations are registered with the Department of Registration and Inspection of Health Establishments and Personnel, of the Health Services Directorate-General of the Ministry of Public Health and Social Welfare:

The "Centro Médico" hospital - kidney transplants;

"Doctor Rodolfo Robles" Eye and Ear Hospital - corneal transplants;

Guatemalan Social Security Institute - kidney and corneal transplants;

National Chronic Kidney Disease Unit (UNAERC), of the Ministry of Public Health and Social Welfare - kidney transplants;

Ophthalmological Department of the Roosevelt Hospital - corneal transplants;

National Cardio-vascular Surgery Unit (UNICAR), of the Ministry of Public Health and Social Welfare - artificial and cadaver heart valve transplants;

"Instituto Tecnológico de la Visión Sociedad Anónima - INTEVISA" specialist ophthalmological day hospital; "Servicios Oftamológicos Asociados Sociedad Anónima 'Visión Integral'"; Ophthalmological clinics - admission and records of corneal transplants.

2. Congressional Decree 91-96 - Disposal of Human Organs and Tissues Act - places no restrictions on the transplant of healthy living or cadaver human organs or tissues. The Department of Registration and Supervision of Health Establishments and Personnel reports that the organs most frequently transplanted in Guatemala are kidneys, corneas and artificial and cadaver heart valves.

3. The Department of Registry and Supervision of Establishments and Personnel, of the Ministry of Public Health and Social Welfare, inspects and oversees private-sector hospital medical centres, granting a five-year licence to establishments that meet the quality standards. The Ministry of Public Health and Social Welfare regularly inspects State hospital medical centres.

4. The Ministry of Public Health and Social Welfare is currently studying draft amendments to Decree 91-96, the aim of which is, inter alia, to set up mechanisms for strict monitoring of the procedures used in carrying out this kind of operation, so as to ensure that they do not in any way violate the rights of organ and/or tissue donors or recipients.

5. In a study entitled "Nuevas formas de violencia sobre la niñez: Informe sobre el tráfico de niños/niñas, trasplante ilegal de organos y adopciones internacionales en Guatemala" ("New forms of violence against children: Report on trafficking in children, illegal organ transplantation and international adoption in Guatemala") the United Nations Children's Fund (UNICEF) reports that, in response to allegations that children were being abducted in order to supply suspected trafficking in organs, the Medical Association of Guatemala carried out a research project to determine whether the sale and illegal transplantation of organs was feasible or not. The research focused on the following points:

(a) Whether the Public Prosecutor's Office or judiciary knew of cases or of bodies where any organ appeared to have been removed;

(b) Whether it was possible to perform such a complex operation in any building or establishment;

(c) Which Guatemalan doctors were capable of successfully performing such an operation.

6. The following conclusions were reached:

(a) No judge or forensic physician has ever witnessed an autopsy, in either forensic or purely medical cases, in which there was any suspicion or evidence of illegal organ transplantation;

(b) Surgical operations of this kind cannot be done in any building or house;

(c) Technically very complex equipment and highly trained staff are needed;

(d) For financial reasons, very few transplants are carried out. Patients do not have the financial means to meet such an expense;

(e) It is quite impossible to carry out such operations successfully without well-equipped, high-technology operating theatres.

7. The Medical Association of Guatemala established that it was not scientifically possible to remove an organ from a human being for transport abroad and transplantation into another human being. The Association reports that children are indeed abducted and taken abroad, but they know of no case in which organs have been removed for transport out of Guatemala.

8. The same study also states that the Directorate-General of the National Police has not detected any case of illegal sale or transplant of organs. It further reports that the Ministry of the Interior arranged a meeting of

four doctors in order to consider and discuss the subject. The general conclusion was that illegal organ transplants could not be performed in Guatemala and that, since the preparatory work required was highly complex, it was virtually unthinkable that such operations could be done. It points out, in addition, that it is not simply a matter of removing an organ and transplanting it.

9. The study also indicates that, according to information obtained from the Government, no bodies of children have hitherto been found showing evidence of having lost vital organs, and that, to date, it has not been possible to document a single case of children being subjected to involuntary or illegal transplants.

Lebanon

[Original: French]
[7 April 1999]

It is the task of the Vice Office of the Criminal Investigation Department to prevent sexual assault on minors and to try to stop children entering entertainment centres and cinemas that show pornographic pictures, since their presence there provokes assault by adults or exploitation in drug trafficking and stealing. The Vice Office is supposed to monitor such situations, where they occur; however, no case of the sale of children has been reported to the Vice Office, which therefore submits the following proposals:

- The exploitation of minors in acts perpetrated within cinemas should be prevented and strict monitoring should be introduced;
- The penalties for anyone exploiting children, whether by exploitation or abuse, should be stiffened;
- Steps should be taken, in coordination with the competent services of the Ministry of Labour and Social Affairs, to establish a shelter for orphaned and homeless children and beggars;
- Awareness-raising campaigns should be conducted regularly among families, so as to encourage them to supervise their children and deal with problems they may face.

United Arab Emirates

[Original: Arabic]
[8 April 1999]

1. An organ transplantation programme started in the United Arab Emirates in 1985. We mean by this only transplantation of kidney and cornea. Up to this point, these are the only organs which have been transplanted in our country.

2. The transplantation of cornea was mainly practised in government hospitals in Abu Dhabi, Dubai, and Sharjah. As of this date, 750 corneas have been transplanted. All the corneas were imported. The majority came from a Government-controlled Corneal Bank in Sri Lanka.

3. As of this date, 90 kidneys have been transplanted in the United Arab Emirates. Only one centre in Mafraq Hospital, with the cooperation of the Nephrology Department in Al-Jazeira and Central Hospitals, has maintained this type of transplantation programme in the United Arab Emirates. Apart from two cadaveric kidneys imported from "Eurotransplant", all the transplanted kidneys have come from living related donors or emotionally related donors (i.e. spouses).

4. In spite of repeated warnings and pressure to discourage them, 250 patients (United Arab Emirates nationals as well as expatriates) travelled abroad seeking kidney donors in nearby countries. This is mainly due to the critical shortage of available organs in this country (either cadaveric or living related). These patients are then unfortunately exposed to the many moral, social, financial and health care problems in these countries. Some years ago, India represented the major source of unrelated kidney transplants. This reprehensible situation changed as a result of laws passed in India forbidding this practice, especially donation for non-Indians. Now the primary countries travelled to for this kind of kidney transplant are Pakistan, Iraq, the Islamic Republic of Iran and the Philippines.

5. In 1993, a federal law was passed in the United Arab Emirates regulating the transplantation of organs (Law No. 15/1993). This law permits living related donation pursuant to certain conditions ensuring the health of the donor, the appropriateness of the relationship to the recipient, and to ensure the prevention of any commercial or financial gain from the transplantation. This law also permits cadaveric donation. However, sub-laws are still being finalized as to a clear acceptable definition of death within the dictates of our religion and of organ harvesting.

6. There are other articles regulating donation, in addition to defining the specification of transplant centres and the limits of responsibility of staff working in the field. There are articles defining mandatory minimum and maximum sentences for those found guilty of organ trafficking or achieving any financial gain in the donation of organs.

7. In summary, the trafficking of organs is absolutely forbidden in the United Arab Emirates. As of this date, there has been no case brought to the authorities concerning such unethical practices.

II. INFORMATION RECEIVED FROM UNITED NATIONS ORGANS/BODIES

United Nations Office at Vienna/United Nations Interregional Crime and Justice Research Institute (UNICRI)

[Original: English]
[11 March 1999/9 February 1999]

1. The two organizations separately sent information on the Global Programme against Trafficking in Human Beings, a joint programme of the Office for Drug Control and Crime Prevention (ODCCP) and the Centre for International Crime Prevention (CICR) in Vienna and UNICRI in Rome.

2. The Programme consists of an integrated package of action-oriented research and targeted technical cooperation. It will comprise an analysis of smuggling trafficking flows, a collection of best practices, carrying out of demonstration projects in selected countries and standardized evaluation. The end products will be a databank of tested best practices accessible through the Internet and a knowledge-based international strategy, to be presented at a high-profile global conference.

3. In the first phase, data will be collected on different routes for smuggling human beings and the structures and modalities used for transportation and ensuring exploitation. Literature review, file analysis of closed criminal cases and interviewing of officials of criminal justice, immigration and social agencies in selected countries will make it possible to assess the extent and nature of the exploitation and the role played by criminal organizations. Parallel to these assessments of the phenomenology, a global inventory will be made of documented and undocumented best practices addressing smuggling and trafficking, including special legislation and institutional arrangements. A Website will be set up on the Internet to invite input from local NGOs.

4. In the second phase, a series of demonstration projects will be launched in a selection of interested countries. The demonstration projects will seek to implement those best practices, ascertained in the global inventory, which seem most suitable for the problems at hand in the country. They will include a wide range of different approaches, so as to optimize the practical experiences gained. The demonstration projects will assist Governments in (a) counteracting operations and structures by which human beings are trafficked and exploited; (b) strengthening crime-prevention strategies against trafficking and smuggling of human beings; and (c) improving victim-witness protection and assistance. The technical cooperation will include the training of professional groups involved, such as law enforcement, customs, the judiciary and social services, legislative reform, institution-building and the creation of support structures for victims and witnesses. Where possible, the projects will build upon existing initiatives in the country supported by national and/or other international agencies and NGOs.

5. The processes, impacts and possible side effects of the demonstration projects will be evaluated. The overall evaluation results will be input for both the databank on best practices and the global strategy.

6. In the third phase, a global strategy against smuggling of migrants and trafficking in human beings will be formulated in close consultation with the relevant national and international organizations. It will be presented for adoption by the international community at a world conference that will be organized in 2002. After its adoption, it will be disseminated with the help of modern communication media, e.g. the specialized Website.

7. The envisaged duration of the Programme is 36 months and United Nations entities, Member States, intergovernmental organizations, the academic community and NGOs will be invited to join the Programme.

8. It was suggested that the Working Group on Contemporary Forms of Slavery might wish to focus future action on victim-related aspects of trafficking in human beings, regardless of the purpose for which such persons have been victimized, bearing in mind that an advisory group will be established to monitor the implementation of the Global Programme. It could be envisaged that the results of the Global Programme regarding the organized crime aspects of trafficking in human beings could be brought to the attention of the Working Group, as appropriate, and that the work of the Working Group on Contemporary Forms of Slavery in this field could be brought to the attention of the Commission on Crime Prevention and Criminal Justice and/or the body which will be entrusted with monitoring the implementation of the future convention against transnational organized crime and its optional protocols on trafficking in women and children and on smuggling of migrants.

United Nations Relief and Works Agency for Palestine Refugees in the Near East

[Original: English]
[6 January 1999]

Pursuant to its mandate the Agency provides essential health care services to Palestine refugees through a network of primary health care facilities. UNRWA does not audit governmental or private hospitals operating in its area of operations and is therefore not in a position to comment on allegations regarding the removal of organs and tissues of children and adults for commercial purposes.

III. INFORMATION RECEIVED FROM INTERGOVERNMENTAL ORGANIZATIONS

Council of Europe

[Original: English]
[13 April 1999]

1. The Parliamentary Assembly of the Council of Europe has adopted the following substantive texts pertaining to the Sub-Commission's resolution:

Order No. 491 (1993), on the situation of women and children in the former Yugoslavia;

Resolution 1011 (1993), on the situation of women and children in the former Yugoslavia;

Opinion No. 186 (1995), on the draft European Convention on the exercise of children's rights;

Recommendation 1286 (1996), on a European strategy for children;

Resolution 1099 (1996), on the sexual exploitation of children;

Recommendation 1325 (1997), on traffic in women and forced prostitution in Council of Europe member States;

Recommendation 1336 (1997), on combating child labour exploitation as a matter of priority; and

Recommendation 1371 (1998), on abuse and neglect of children.

2. With regard to the intergovernmental activities of the Council of Europe, the Working Group on Contemporary Forms of Slavery may be interested to know that the Council's Steering Committee on Equality between Women and Men (CDEG) has developed a number of activities in the field of action against trafficking in human beings for the purpose of sexual exploitation. A short note on these activities is also appended to this letter.*

3. As far as questions of child labour are concerned, the Committee of Ministers in June 1998 approved the Council of Europe Programme for Children.* In reply to the above-mentioned Parliamentary Assembly's Recommendation 1336 (1997) on combating child labour exploitation as a matter of priority, the Committee of Ministers adopted several decisions.*

4. With reference to sexual exploitation of children, the following past or planned activities may also be brought to the attention of the Working Group on Contemporary Forms of Slavery at its forthcoming session:

(a) In the context of the follow-up to the 1996 World Congress against Commercial Sexual Exploitation of Children, a European follow-up conference was organized in Strasbourg on 28 and 29 April 1998. It was aimed at taking stock of the measures taken at national level, identifying the problems encountered by Governments in implementing the Stockholm Agenda for Action, and presenting examples of relevant good practice in combating the crimes concerned;

(b) The European Committee on Crime Problems (CDPC) is currently reviewing the implementation of Recommendation No. R(91)11 on sexual exploitation, pornography and prostitution of, and trafficking of, children and young adults, with a view to updating it;

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* Text available for consultation with the secretariat.

(c) As concerns the use of the Internet for the purpose of sexual exploitation of children, the Committee of Experts on Crime in Cyberspace (PC-CY) is preparing special provisions to be included in a convention in this field. Work on this draft convention is expected to be concluded in 2000;

(d) With regard to the protection of victims, reference might be made to the attached Recommendation No. R(97)13* on the intimidation of witnesses and the rights of defence, which deals, inter alia, with measures to be taken in relation to vulnerable witnesses, including in particular children, especially in cases of crime within the family.

European Group on Ethics in Science and New Technologies

[Original: English]
[16 December 1998]

1. The European Group on Ethics in Science and New Technologies (EGE) is an advisory committee of the European Commission, composed of 12 members from different disciplines and countries who formulate Opinions (recommendations) on ethical implications arising from science and new technologies. The European Parliament and the Council of the European Union can also request Opinions from the group. This usually takes place within the Community decision-making process.

2. The Opinion on "Ethical aspects of research involving the use of human embryos in the context of the Fifth Framework Programme" was issued by the EGE on 23 November 1998 and was based on an amendment tabled at the European Parliament that aimed to exclude from Community funding, within the Fifth Framework Programme on Research and Technological Development, all research projects that result in the destruction of the human embryo.

3. In the light of recent scientific developments in both the United States and Europe, it is imperative that a global debate takes place on all issues arising from science and new technologies, particularly information technologies, which directly affect the daily lives of all citizens.

International Criminal Police Organization

[Original: English]
[4 March 1999]

1. In general, it appeared during the International Conference on Trafficking in Women, held in Vienna in October 1998, that the problem of trafficking in women and children was too narrowly defined in many countries and the social, employment and migration aspects of trafficking were too often ignored. The notion of "prostitution" did not cover all forms of trafficking

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* Text available for consultation with the secretariat.

and therefore hampered effective prosecution. The action against "legal trafficking" (entry with legal documents) was limited. Provisions to allow the seizure and confiscation of profits have to be extended to trafficking-related offences and the prosecution of nationals in their home country for acts of trafficking committed abroad should be part of an anti-trafficking law. Furthermore, given the fact that the principle of granting residence permits to victims prepared to testify in court in Western Europe was too strictly interpreted, investigators had to anticipate that the victims of such crimes would never be available as witnesses or complainants. Some of the participants called for the use of special police techniques (undercover agents, controlled delivery, observation) against traffickers and exploiters.

2. The countries of origin in Central Europe have also become countries of transit and target areas. One-day cross-border sex tourism appeared and women were being trafficked for one day or one night into a country from neighbouring countries. The collection of evidence was a problem because most of the recruiters and exploiters who run the network stayed in the neighbouring countries. Law enforcement action in Central and Eastern European countries should be completed by common return and rehabilitation mechanisms, special regulations on social rights of the trafficked women, and on residence regulations based on employment measures. There was a lack of awareness-training for police officers and prevention through information campaigns were underestimated.

3. The ICPO-Interpol General Secretariat has recently created a new Branch and future services will include:

(a) Identifying the regions touched by the phenomenon through strategic analysis using the available data, the expertise of other organizations and open sources;

(b) Helping those regions touched by the phenomenon to formulate an adapted approach defining minimum standards for repression, prevention and support mechanisms;

(c) Enhancing mutual understanding of evidence requirements in other regions through awareness-training of police officers at regional training sessions;

(d) Developing a standard collection format which responds to all the elements of the modus operandi.

4. For the time being this Branch is defining with other organizations the categories of information which have to be exchanged between the different partners active in the struggle against trafficking in women and the degree of urgency of this exchange.